

Va. Youth Offenders Caught in Transition

By Chris L. Jenkins

Washington Post Staff Writer

Wednesday, September 22, 2004; Page B01

RICHMOND, Sept. 21 -- The last few years have been frustrating ones for Gwendolyn Harris, the mother of a teenager. Since her son Donald was 12, she has watched him commit misdemeanor after misdemeanor, leading finally to a six-month stint in a Richmond juvenile facility in 2002.

But when her son, now 17, was released last year with the hope of a fresh start, other problems developed. The school he was assigned to attend wouldn't accept him, because it had not received the appropriate records, Harris said Tuesday. The records that were available were a year old. By the time he got into high school, he had lost nearly three months of schooling, she said.

"Every step of the way, it just seemed there was no way of getting him to the right school," said Harris, of Richmond.

Researchers, advocates for juveniles and some state officials say that adolescent offenders released from the custody of the Department of Juvenile Justice are often prevented from returning promptly to school. That is a violation of state law, advocates say.

In many cases, the advocates say, educational records are incomplete or nonexistent. And local school districts often are hesitant to accept children released from juvenile facilities out of concern that they might present a risk to other students.

The Virginia General Assembly hoped to remedy the situation in 1996, when it directed state education officials to adopt rules to address "educational reentry" for juvenile offenders. But the State Board of Education has never done so.

"What you have is a set of rules to help address this problem that has slipped through the cracks, the same way these children have," said Kevin Keenan, a staff attorney for JustChildren, an organization based in Charlottesville that has been working on the issue. "For most of these children, this transition back home is their one best second chance at succeeding, and we have not made that easy for them."

On Wednesday, the Board of Education will hear testimony on the issue and decide whether to strengthen oversight of the students' return to school.

Officials for the Board of Education and Department of Juvenile Justice say that although the rules have not been adopted officially, school districts often do get the students back in the classroom without undue delay.

Charles Pyle, a spokesman for the Department of Education, said the state does have reentry procedures. "The reenrollment procedures now in place were developed through a cooperative effort involving the Department of Education, the Department of Correctional Education, and the Department of Juvenile Justice," Pyle said in a statement. "These procedures are in place and are being followed by school divisions."

Jerrauld C. Jones, director of the Department of Juvenile Justice, said the performance of school districts varies across the state.

"I think you'll find that in some rural areas, [school districts] are going about this correctly, while in other [districts] they might not be," he said.

A report submitted to state officials in 2001 by the College of William and Mary concluded that in many cases, "no structure exists that holds the [reentry] process in place."

There are about 1,300 children in the state's juvenile facilities. In 2003, 53 percent of the boys and 76 percent of the girls were deemed to have mental health needs, and advocates for the children say the situation should compel the state to more closely monitor the transition back to school.

"These vulnerable children continue to be left out in the educational process," said Joe Scantlebury, a staff attorney for Youth Law Center, a Washington-based group.

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Board votes to adopt rules to help offenders continue education

By ZINIE CHEN SAMPSON
Associated Press Writer

September 22 2004

RICHMOND, Va. -- The state Board of Education plans to enact regulations that would require state agencies to set up plans to ensure that children return to school after serving time in juvenile prisons and detention homes.

The Board of Education voted Wednesday to proceed with efforts to place more oversight on the re-enrollment plans after hearing testimony from advocates for children and the mother of a juvenile offender.

Gwendolyn Harris, of Richmond, told the board that when her son got out of a juvenile facility in January 2002, he was ready to go to high school, but it wouldn't accept him because it didn't have his records. He was then told to attend another school, but when he got there he was told to go somewhere else.

Harris said such an experience "was very frustrating for the parent and child" and her son lost a substantial amount of time when he could have been in school, which put him at risk for breaking the law again.

She suggested having a liaison between juvenile detention and schools to plan for students' re-entry into the educational system, so the child "knows exactly where he's going."

Kevin Keenan, an attorney with Just Children, a Charlottesville legal advocacy group, said that many juvenile offenders make good educational progress while incarcerated, and it's important to keep them on the right track after they're released.

"This is key to reducing recidivism. It's also key to giving these kids a meaningful opportunity to fulfill their one best second chance to succeed in life," Keenan told the board.

Keenan said there are also financial reasons to make sure juvenile offenders continue their educations. It costs Virginia \$78,000 each year for each child housed in a state juvenile prison _ \$15,000 of that is Department of Education money, he said.

Wednesday's decision comes eight years after the General Assembly passed a law requiring the board to officially spell out details of what schools and juvenile corrections officials must do to prepare incarcerated students to return to public school.

In 2000, the Department of Criminal Justice Services directed researchers at the College of William and Mary to study the re-enrollment process and make recommendations to a committee that drafted regulations, which were brought before the Board of Education in 2002.

The study recommended establishing a re-enrollment plan to share information about the student's education while incarcerated and to ease the transition back into the schools. But a required review of the proposed regulations wasn't completed within the necessary time period, and the measure expired.

"This regulation fell through the cracks because these kids are not a priority," Keenan said.

More than 1,000 children are in Virginia's juvenile prisons or detention homes. Their incarceration or detention often offers their first opportunity to experience academic success, according to Just Children. But some students who have been released have showed up at schools with no notice, no records and no re-enrollment plan.

Despite a lack of formal regulations, education officials said the state does prepare for juvenile offenders' return to school, though they acknowledge some school divisions might do a better job than others.

Cindy Cave, director of the Department of Education's office of student services, said that when students are sentenced to prison or detention, their schools must send educational records to the Department of Juvenile Justice so plans can be made to continue their education. When they leave state custody, the Department of Juvenile Justice contacts the students' schools and provides them with records.

But advocates say that in many cases, many records are missing, and there's no way to track what happens to children after they're released from prison. Also, some schools are hesitant to enroll juvenile offenders because of the perception that they're dangerous.

"Any child that comes from the Department of Juvenile Justice, we automatically assume there's a public safety risk," said Joe Scantlebury, an attorney with the Youth Law Center, a Washington advocacy group.

But agencies can work together to help the youths succeed "if there's an overall plan," Scantlebury said.

Representatives from the education, correctional education and juvenile justice departments have formed a task force to review existing re-enrollment practices and to help shape the new measures.

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Inmate to student transition issue back

Assembly ordered regulations in 1996, but none adopted

BY HOLLY CARROLL

TIMES-DISPATCH STAFF WRITER

Wednesday, September 29, 2004

State regulations aimed at easing the transition for students between juvenile correctional facilities and public schools fell through the cracks years ago. But renewed interest from parents and child advocates has the Virginia Board of Education bringing the issue back to life.

In 1996, the General Assembly passed legislation directing the board to establish a re-enrollment plan for students who are placed back in public schools after serving time in a juvenile correctional facility.

The plan was to include the Department of Education, the Department of Juvenile Justice and the Department of Correctional Education.

Process put into place

While a process was put into place by DCE back then, no regulations were ever adopted by the board.

Kevin Keenan, a staff attorney with JustChildren, a program of the Legal Aid Justice Center in Charlottesville, said he researched the legislation and found nothing when he looked for the adopted plan.

"It's 2004, and there's still no such regulation," Keenan said. "It was pretty much because we called [DOE] that it was remembered."

The board restarted the process last week, when it voted to proceed with a notice of intended regulatory action. It is welcoming suggestions from the public.

From those suggestions, DOE staff members will draft proposed regulations to go before the board for approval and then go out for public comment before final adoption.

1,100 said in facilities

According to the Department of Juvenile Justice, there are about 1,100 children in the state's juvenile facilities. About 55 percent of them need mental-health services.

Keenan and school officials say a child's educational plan should be in place before leaving the juvenile facility. The longer children remain out of school after leaving a correctional facility, the less likely they are to be successful in public school.

But officials noted problems often occur in the transition between the agencies.

For instance, student records are lost or sent to the wrong place. Schools also aren't given enough notice of children coming back into the school system, causing confusion for the schools and the students and their families.

The result is lost instructional time as the school system scrambles to find the best place for the student.

Too often, Keenan said, school systems don't put children back in their home schools because they fear they will cause problems.

"You can't automatically stick kids in a warehouse for discipline problems," he said.

A 2001 study conducted by the College of William and Mary found that "interagency cooperation and communication does not occur in a consistent or reliable basis among the agencies or entities involved." The \$23,000 study of the state's re-enrollment process was paid for by a grant from the Department of Criminal Justice Services. Bob Tally, administrator for student conduct for the Chesterfield County school system, said coordination between the agencies has been an issue.

"The real problem is the information going from the correctional institute to the school," Talley said. Having "reasonable regulations would help the schools a lot. The key piece is the advance notice and getting the records to the right place."

DOE officials said that while no plan was formally adopted, regulations are in place and school systems and juvenile services agencies have been following them.

"It is unfortunate that we are again voting on it in September 2004 to start again," said Thomas Jackson Jr., the board's president.

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Let them learn

September 27, 2004

Our View

Staff

Virginia's juvenile offenders who wish to return to school after completing their detention must have the opportunity to do so. Unfortunately, procedures to enable that transition have fallen through the cracks as much as the children themselves. Making the successful move from detention facility to classroom requires a coordinated effort from families, probation and after-care professionals and educators. Sadly, examples show this is not always being done. In fact, we feel that the state Department of Juvenile Justice and the Department of Education should receive a D- for not working well with others.

The 17-year-old son of Gwendolyn Harris of Richmond was released last year from a juvenile facility after committing a series of misdemeanors. The school he was assigned to wouldn't accept him because it had not received the appropriate records. Documents that were available were a year old.

Local school districts often are understandably hesitant to accept children released from the custody of the Department of Juvenile Justice due to safety concerns, but advocates contend that is a violation of state law. A study by Nelson & Rutherford showed that many incarcerated youths suffer from mild to moderate mental retardation, learning disabilities and behavioral disorders. Putting these individuals into a class setting for which they are neither prepared nor able to succeed can be counterproductive.

So, what is the prescription?

We contend there needs to be more collaboration between these two bureaucracies to weed out the more violent offenders so that they can obtain an education which will drastically reduce their chances of adding to Virginia's burgeoning prison ranks. All of the Commonwealth's children should be afforded an education in an environment and a trained staff that is equipped to deal with those challenges. Juvenile court judges should make school placement decisions taking the offender's special education needs into account. As well, records should be transferred with the youthful offender, into and out of, correctional educational facilities. The more violent youthful offenders should have appropriate facilities where the staff is trained to address their specific needs.

Crime continues to plague our nation whether it is perpetrated by adults or our youths. How to remedy it continues to be a source of debate. There should be no argument, though, about the need to reclaim Virginia's children - even those who break the law. Changes in how we address the education of those who remain at-risk should be of paramount importance and consequence for us all.

Opinions expressed in this feature represent the collective opinion of the newspaper's editorial board, consisting of: Gary Stout, president and publisher; David Fritz, executive editor; Cindy Corell, city editor; Jim McCloskey, editorial cartoonist; Dennis Neal, opinion page editor; and Macon Rich, production director. Copyright (c) Daily News Leader. All rights reserved. Reproduced with the permission of Gannett Co., Inc. by NewsBank, inc.

Giving troubled youngsters educational direction ***Finally, Virginia is renewing its effort to smooth kids' move from juvenile centers to schools.***

Friday, October 01, 2004

Youngsters leaving Virginia's juvenile correctional centers stand at a crossroads: They can re-enter their communities floundering with little guidance and fall prey to the lives that landed them in trouble, or they can make a fresh start by changing direction. Education is the compass they need for a successful turnaround, and the state finally is making good on an 8-year-old promise to provide them an educational road map to ease the transition from detention centers to public schools.

In a decision essential to the futures of the state's juvenile offenders, the Virginia Board of Education voted recently to proceed with efforts to require state agencies to set up re-enrollment plans to ensure that children return to school after leaving detention facilities.

The move is smart - and necessary. The longer children remain out of school after leaving state detention, the smaller their chances for success when they return to public school.

The board's move comes eight years after the General Assembly passed legislation for the state departments of Education, Correctional Education and Juvenile Justice to develop transition rules. Inexcusably, the board never adopted regulations and voted last week to restart the process.

The belated action shows a renewed commitment by the state to help youngsters leaving the juvenile system to succeed in their second chance. Many youngsters experience academic discipline in the state's juvenile system. But without a plan to continue educational momentum when they leave detention, some newly released youngsters have shown up at schools unannounced, with no records and no enrollment plan.

That's unfair to the student who deserves proper academic placement, to a school administrator unprepared to place the student and to classmates, who may become targets if the troubled youngster resorts to disruptive behavior. The board will draft rules that spell out details of what agencies and corrections officials must do to prepare incarcerated children for public school.

Virginia's eight-year lag in implementing the regulations is indefensible. But now that the effort again is in play, state officials should act vigorously to give youngsters another chance for a brighter future.